

AMENDMENT CHART
for Special Order of 4/14/2011

Updated: 4/14/2011 08:16 AM

#	SPONSOR	DESCRIPTION
HB 7099	Government Operations Subcommittee, Patronis	Pub. Rec./OPPAGA Work Papers - Creates exemption from public records requirements for work papers held by OPPAGA that relate to authorized project or research product; provides for retroactive application; provides statement of public necessity; provides contingent effective date.

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#	SPONSOR	DESCRIPTION
CS/SB 1970	Governmental Oversight and Accountability, Thrasher	Public Records/OPPAGA - Creates an exemption from public records requirements for work papers held by the Office of Program Policy Analysis and Government Accountability which relate to an authorized project or a research product. Provides for retroactive application. Provides a statement of public necessity.

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#	SPONSOR	DESCRIPTION
CS/HJR 7111	Judiciary Committee, Civil Justice Subcommittee, Eisnaugle	Supreme Court - Proposes amendments to ss. 2, 3, 4, 7, 11, 12, & 14, Art. V, s. 17, Art. III, & ss. 3 & 10, Art. IV, & creation of s. 21, Art. V, of State Constitution to divide current Supreme Court into two divisions, one hearing civil cases & other hearing criminal cases; provides for administration of divisions; defines jurisdiction of divisions; provides for transition from present Supreme Court; revises provisions relating to repeal of court rules; limits readoption of repealed court rule; provides for Senate confirmation of Supreme Court justices; expands jurisdiction of Supreme Court; requires JQC to make all of its files available to House Speaker; requires that specified minimum percentage of general revenue funds be appropriated to courts; makes other conforming & modernizing changes.
769747	Eisnaugle	The joint resolution changes the relationship between the legislature and the courts regarding court rulemaking. This amendment provides a means for the legislature and the courts to cooperate together after a rule repeal in order to craft a rule.
398879	Eisnaugle	This amendment clarifies the language regarding the rotation of chief justices.
908147	Eisnaugle	This amendment clarifies when the two divisions may meet jointly.
340621	Eisnaugle	The joint resolution may allow Supreme Court review of per curiam affirmed (PCA). This amendment clarifies that the expanded jurisdiction will not allow review of PCA's.
514951	Eisnaugle	This amendment clarifies that where the legislature passes a general law to clarify the split between civil jurisdiction and criminal jurisdiction, the law must conform with the constitutional split of jurisdiction. The amendment keeps a future legislature from putting a criminal case in the civil division, or vice versa.
348381	Eisnaugle	The joint resolution requires a certain level of funding for the judicial branch. This amendment clarifies that certain court-related expense categories may not be added to the judicial branch budget.
425577	Eisnaugle	This amendment specifies that this is a proposed "revision" of the constitution, not just a proposed "amendment"
874755	Eisnaugle	This amendment specifies the effective date of the increased Supreme Court jurisdiction.
368965	Eisnaugle	This amendment simplifies the joint resolution by removing parts outside of Article V.
418661	Eisnaugle	This amendment clarifies the ballot summary.
349533	Steinberg	The joint resolution fixes which justices go to which division. This amendment would allow the justices to pick their own division.
379527	Steinberg	This amendment removes all but the guaranteed court funding from the proposed amendment.
813491/SA to 379527	Steinberg	This strike-all amendment limits the joint resolution to only court funding issue (giving the court system a minimum level of funding based on a percentage of GR). As opposed to the original amendment, this substitute amendment further defines the elements of the "judicial system". Like the original amendment, this substitute has the effect of dropping proposed changes to court rulemaking, creation of two divisions of the Supreme Court, increasing jurisdiction, and review of JQC files. The strike-all does not include the standard language regarding consideration at an earlier special election.

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#	SPONSOR	DESCRIPTION
CS/HB 7199	Judiciary Committee, Civil Justice Subcommittee, Eisnaugle	Courts - Provides for divisions of Supreme Court & jurisdiction; authorizes collaboration with other courts; repeals provisions relating to collaboration by Supreme Court with other courts, terms of Supreme Court, practice of law by retired justices of Supreme Court, clerk of Supreme Court, appointment of deputy clerk, location of clerk's office, custody of books, papers, records, files, & seal, & duties of clerk; provides duties of clerk of Supreme Court; revises provisions relating to marshal of Supreme Court; repeals provisions relating to Supreme Court marshal's power to execute process; provides for location of Supreme Court Building; repeals provisions relating to compensation of marshal of Supreme Court, deposit of fines for contempt of Supreme Court, library of Supreme Court, acquisition of books for library of Supreme Court, & effect of court rules; exempts State Courts Revenue Trust Fund from provisions relating to transfer of unappropriated cash balances; revises provisions relating to allocation of space in Supreme Court Building; provides contingent appropriation.

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#	SPONSOR	DESCRIPTION
HB 7113	Civil Justice Subcommittee, Metz	Supreme Court - Repeals provisions relating to restricting practice of law by retired justice, requirement to appoint Clerk of Supreme Court, requirement that clerk have office in Supreme Clerk Building, requirement that clerk perform duties as directed by court, & provision by which rules of court supersede statutes.

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#	SPONSOR	DESCRIPTION
CS/HB 7023	Judiciary Committee, Civil Justice Subcommittee, Steube	Judiciary - Repeals provisions relating to regular terms of Supreme Court; repeals provisions relating to terms of circuit courts; allows Supreme Court to set terms of court for Supreme Court, district courts of appeal, & circuit courts; provides that appellate courts may withdraw mandate within 120 days after issuance; conforms provisions.
450687	Dorworth	This amendment restricts certain criminal defendants from being assigned to a local pretrial release program. Such defendants would be required to post bond.

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#	SPONSOR	DESCRIPTION
HB 7119	Civil Justice Subcommittee, Passidomo	District Courts of Appeal - Repeals provisions relating to requirement that district court sit in three judge panels & have majority for decision & requirement that clerk of district court perform duties prescribed by rule of court.

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#	SPONSOR	DESCRIPTION
HB 7115	Civil Justice Subcommittee, Bernard	Judicial Census Commissions - Repeals provisions relating to judicial census commissions.

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#	SPONSOR	DESCRIPTION
HB 7101	Civil Justice Subcommittee, Gaetz	Judicial Nominating Commissions - Repeals provisions relating to judicial nominating commissions; provides for commissions; specifies membership & composition; provides for appointment of members by Governor; provides for terms; requires Governor to consider racial, ethnic, gender, & geographic diversity in making appointments; provides for suspension of member of judicial nominating commission; establishes quorum; provides for administrative support; abolishes prior offices; permits reappointment of former officeholders.

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#	SPONSOR	DESCRIPTION
CS/CS/CS/CS/H B 283	Economic Affairs Committee, Justice Appropriations Subcommittee, Criminal Justice Subcommittee, Transportation & Highway Safety Subcommittee, Young	Seaports - Provides that Citrus County may apply for grant for feasibility study through Florida Seaport Transportation and Economic Development Council; provides for evaluation; requires DOT to include study in budget request under certain circumstances; deletes provisions relating to statewide minimum standards for seaport security; deletes authorization to exempt all or part of seaport from specified requirements; revises provisions relating to seaport security plans; revises requirements for certain secure or restricted areas; revises provisions relating to when part of seaport may temporarily be designated as secure or restricted area; deletes provisions requiring FDLE to administer statewide seaport access eligibility reporting system; deletes provisions requiring that persons seeking authorization to access secure & restricted areas of seaport execute affidavit; prohibits seaport from charging any fee for administration or production of access control credentials associated with fingerprint-based background check, in addition to fee for federal TWIC; provides exceptions; provides for seaport-specific access credentials; deletes provisions requiring fingerprint-based criminal history checks; deletes authority for waivers from security requirements in certain circumstances; deletes provisions relating to inspections, reporting requirements, & allocation of appropriated funds for security project needs.

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#	SPONSOR	DESCRIPTION
HB 4159	Ray	State Attorneys - Deletes provision that requires each state attorney to submit deviation memoranda relating to offenders who are not sentenced to mandatory minimum prison sentence in cases involving possession or use of weapon & why defendant did not receive mandatory minimum prison sentence in cases involving certain specified offenses; repeals provisions relating to criteria to be used when state attorneys decide to pursue habitual felony offenders or habitual violent felony offenders; revises provisions deleting provisions requiring each state attorney to report why case-qualified defendant did not receive mandatory minimum prison sentence in cases involving certain specified offenses; deletes provisions regarding burden of establishing financial resources of defendant; revises provisions deleting provisions relating to direct-file policies & guidelines for juveniles.

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#	SPONSOR	DESCRIPTION
CS/CS/HB 563	Judiciary Committee, Criminal Justice Subcommittee, Jones	Injunctions for Protection Against Domestic Violence, Repeat Violence, Sexual Violence, or Dating Violence - Directs Florida Association of Court Clerks & Comptrollers, subject to available funding, to develop automated process by which petitioner for injunction for protection may request notification of service of injunction or notice of other court actions related to injunction; requires that notice be given to petitioner within specified time; provides for content of notice; authorizes association to apply for grants to fund development of automated process.

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#	SPONSOR	DESCRIPTION
HB 7147	Criminal Justice Subcommittee, Harrell	Correctional Policy Advisory Council - Repeals provisions relating to creation, membership, & duties of Correctional Policy Advisory Council.

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#	SPONSOR	DESCRIPTION
CS/HB 997	Justice Appropriations Subcommittee, Pilon	Juvenile Civil Citations - Requires DJJ to encourage & assist in implementation & improvement of civil citation & similar diversion programs; requires that juvenile civil citation & similar diversion program be established at local level with concurrence of certain persons; authorizes entities to operate civil citation or similar program; requires entity operating program to be selected consultation & agreement with state attorney & local law enforcement agencies; authorizes officer, on making contact with juvenile who admits to committing misdemeanor, to require participation in services based on needs assessment; limits civil citation program to first-time misdemeanor offenders unless approved by state attorney; requires program operator to report outcome to DJJ; provides that civil citation is not considered referral to DJJ; requires DJJ to develop guidelines for civil citation program; deletes requirement that copy of citation be sent to victim; requires juvenile probation officer to process original delinquent act as referral to DJJ in specified circumstances & refer certain reports to state attorney.

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#	SPONSOR	DESCRIPTION
HB 1029	Brodeur	Interstate Compact for Juveniles - Reenacts provisions of compact notwithstanding repeal of those sections by s. 4, ch. 2005-80, Laws of Florida, effective 2 years after effective date of that act.

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#	SPONSOR	DESCRIPTION
CS/HB 253	Civil Justice Subcommittee, Stargel, McBurney	Limited Liability Companies - Provides that charging order against member's limited liability interest is sole & exclusive remedy available to enforce judgment creditor's unsatisfied judgment against member or member's assignee with respect to limited liability company; provides exception for enforcing judgment creditor's unsatisfied judgment against judgment debtor or assignee of judgment debtor of single-member limited liability company under certain circumstances; provides legislative intent; provides for retroactive application.

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#	SPONSOR	DESCRIPTION
CS/CS/HB 277	Judiciary Committee, Civil Justice Subcommittee, Goodson	Sovereign Immunity - Requires that claim in wrongful death case be presented to DFS within 2 years after claim accrues; provides that failure of DFS or appropriate agency to make final disposition within 90 days after filing is deemed to be final denial of claim; tolls statute of limitations for time taken by DFS or other agency to deny medical malpractice or wrongful death claim; provides that actions for wrongful death against state or one of its agencies or subdivisions must be brought within period applicable to actions brought against other defendants; provides for application to actions accruing on or after effective date.
382917	Goodson	Amendment provides that claims brought against the state, its agencies, or subdivisions pursuant to the statute prohibiting retaliation for filing workers compensation claims are subject to sovereign immunity, including notice provisions and liability caps.

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#	SPONSOR	DESCRIPTION
CS/CS/HB 395	Education Committee, K-20 Competitiveness Subcommittee, O'Toole	University of Florida J. Hillis Miller Health Center - Specifies that University of Florida Board of Trustees shall lease Shands Teaching Hospital & Clinics on Gainesville campus to Shands Teaching Hospital & Clinics, Inc.; provides that Shands Jacksonville Medical Center, Inc., & its parent, Shands Jacksonville HealthCare, Inc., are private not-for-profit corporations organized primarily to support health affairs mission of University of Florida Board of Trustees; provides requirements for lease, contract, or agreement between board of trustees & corporations; authorizes creation of corporate subsidiaries & affiliates; provides right of control & for sovereign immunity.
076119	Soto	The amendment clarifies that sovereign immunity only applies to causes of action occurring after July 1, 2011.
086261/AA to	Soto	The amendment to the amendment changes the word "occurring" to "accruing."
076119		Late Filed

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#	SPONSOR	DESCRIPTION
HB 7123	Civil Justice Subcommittee, Stafford	Declaratory Judgment Actions - Repeals provisions relating to taxable costs.

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#	SPONSOR	DESCRIPTION
CS/HB 325	Judiciary Committee, Wood	Estates - Provides fiduciary lawyer-client privilege; revises provisions relating to intestate share of surviving spouse; provides right to reform terms of will to correct mistakes or achieve tax objectives; provides for award of fees & costs in reformation & modification proceedings either against party's share in estate or in form of personal judgment against party individually; clarifies that revocation of will is subject to challenge on grounds of fraud, duress, mistake, or undue influence; specifies that challenge to revocation of will may not be commenced before testator's death; provides for notice of fiduciary lawyer-client privilege; clarifies when challenge to revocation of revocable trust may be brought; provides that creation of trust amendment or trust restatement & revocation of trust are subject to challenge on grounds of fraud, duress, mistake, or undue influence; limits circumstances under which guardian of an incapacitated person may bring challenge to settlor's revocation of revocable trust; clarifies that certain payments by trustee from trust assets are not taxation of attorney's fees & costs subject to specified Rule of Civil Procedure; provides applicability.

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#	SPONSOR	DESCRIPTION
HB 951	Albritton	Recording of Real Property Documents - Establishes that real property electronic documents accepted for recordation are validly recorded; provides legislative intent; provides for prospective & retroactive application.

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#	SPONSOR	DESCRIPTION
CS/CS/HB 701	Economic Affairs Committee, Community & Military Affairs Subcommittee, Eisnaugle	Property Rights - Shortens notice period for certain actions; revises procedures for determining governmental entity's final decision identifying allowable uses for property; defines what constitutes first application of law or regulation; clarifies waiver of sovereign immunity for liability; provides for prospective application.

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#	SPONSOR	DESCRIPTION
HB 13	Coley, Drake, Ford, Patronis	Onsite Sewage Treatment and Disposal Systems - Revises legislative intent; eliminates provisions directing DOH to create & administer statewide septic tank evaluation program; eliminates procedures & criteria for evaluation program; terminates grant program for repair of onsite sewage treatment disposal systems identified pursuant to evaluation program, to conform; eliminates provisions authorizing DOH to collect evaluation report fee & provisions relating to disposition of fee proceeds & revenue-neutral fee schedule.

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#	SPONSOR	DESCRIPTION
CS/CS/CS/HB 457	State Affairs Committee, Community & Military Affairs Subcommittee, Agriculture & Natural Resources Subcommittee, Ingram, Nelson	Fertilizer - Revises legislative findings relating to implementation of Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; updates reference to version of model ordinance; revises authority of county & municipal governments to adopt fertilizer standards that are in addition to or more stringent than standards of model ordinance; requires county & municipal governments to report adoption of such standards to DEP; provides for applicability of specified provisions; requires DOACS to regulate sale, composition, packaging, labeling, retail & wholesale distribution, & formulation of fertilizer; preempts such regulation of fertilizer to state; authorizes county & municipal governments to enforce model ordinance & certain ordinances adopted before specified date.
233965	Ingram	The amendment encourages local governments to adopt the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes. Local governments located within an impaired watershed or water body must adopt and enforce the model ordinance. Local governments may adopt an ordinance more stringent than the model ordinance, as long as certain conditions are met. The bill provides an exemption for local governments that have adopted their own fertilizer ordinance prior to July 1, 2011. The amendment also preempts the regulation of the sale, composition, packaging, labeling, retail and wholesale distribution, and formulation, including nutrient content level and release rates, to the Department of Agriculture and Consumer Services.

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#	SPONSOR	DESCRIPTION
CS/HB 613	Agriculture & Natural Resources Subcommittee, Trujillo	Domestic Wastewater Discharged through Ocean Outfalls - Postpones dates by which domestic wastewater facilities must meet more stringent treatment & management requirements; revises definition of "functioning reuse system" & changes term "facility's actual flow on an annual basis" to "baseline flow"; revises plan requirements for elimination of ocean outfalls; authorizes certain utilities to enter into binding agreements to share or transfer responsibility for meeting reuse requirements; requires DEP, SFWMD, & affected utilities to consider certain information for purpose of adjusting reuse requirements; requires DEP to submit report to Legislature.
847571	Drake	The amendment amends s. 403.862, F.S., by delegating the responsibility of testing public water systems in small counties to the local health department.

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#	SPONSOR	DESCRIPTION
HB 7135	Criminal Justice Subcommittee, Trujillo	Cotton or Leaf Tobacco - Repeals provisions prohibiting person from trading, trafficking for, or buying, except from producer or producer's authorized agent, cotton or leaf tobacco unless it is baled or boxed in usual manner or written evidence that producer has parted with her or his interest is exhibited.

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#	SPONSOR	DESCRIPTION
HB 7149	Criminal Justice Subcommittee, Perry	Water Hyacinths - Repeals provisions relating to prohibition on placing water hyacinths in any of streams or waters of state.

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#	SPONSOR	DESCRIPTION
CS/HB 735	Agriculture & Natural Resources Subcommittee, Porter	Division of Forestry - Renames Division of Forestry of DOACS as Florida Forest Service; redesignates director of division as State Forester; clarifies & conforms various provisions.

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#	SPONSOR	DESCRIPTION
HB 7191	Agriculture & Natural Resources Subcommittee, Crisafulli	Forest Development - Repeals provisions relating to establishment & management of community forests by political subdivisions & school districts, appointment of forestry committees, use of revenues from such forests, & sale of such forests.